

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

**MARCELA OLVERA-MORALES, ON
BEHALF OF HERSELF AND ALL OTHERS
SIMILARLY SITUATED,**

Plaintiffs,

v.

**INTERNATIONAL LABOR MANAGEMENT
CORPORATION, INC.; NORTH CAROLINA
GROWERS' ASSOCIATION, INC.; and
DEL-AL ASSOCIATES, INC.,**

Defendants.

**Civil Action No.:
02-CV-1589 (NAM-GLS)**

**AFFIDAVIT OF
C. STANFORD EURY
IN SUPPORT OF
MOTION TO TRANSFER**

The affiant, having been duly sworn, affirms and states as follows:

1. My name is C. Stanford Eury. I am President of Defendant International Labor Management Corporation, Inc. ("ILMC") and Executive Director of Defendant North Carolina Growers Association, Inc. ("NCGA"). I have personal knowledge of the facts stated herein.

2. I live in Vass, North Carolina, which is situated in the Middle District of North Carolina. The headquarters for ILMC and NCGA are both in Vass. All records relating to the named plaintiff, Ms. Olvera-Morales, as well as putative class members, are in Vass.

3. ILMC is a for-profit corporation that provides non-immigrant labor (usually from Mexico) to entities in and outside North Carolina. ILMC has no members, and all of its employees work at ILMC headquarters in Vass.

4. In 2004, ILMC assisted 431 entities in finding workers. The attached Exhibit A shows where those entities are located. Exhibit B shows where the 7,821 workers assigned by ILMC were placed. Because the ILMC laborers are non-immigrant laborers, they return to their nation of origin (usually, Mexico) when their assignments terminate.

5. NCGA is a non-profit corporation that provides non-immigrant labor (usually from Mexico) to approximately 1,050 member growers under the federal H-2A program. All of NCGA's employees and all of its member growers are in the State of North Carolina. All of the laborers work in North Carolina during the agricultural season. Because they are non-immigrant laborers, when the season ends, they return to their nation of origin (usually, Mexico).

6. The total number of staff employees of ILMC and NCGA is 21; therefore, it would be severely disruptive and a hardship to the operations of ILMC and NCGA if this case were to be litigated in the Northern District of New York.

7. Defendant Del-Al Associates, Inc. ("Del-Al"), is based in Charlottesville, Virginia, which is approximately a two-hour drive from Greensboro, North Carolina, where the Middle District is based. It is my understanding that Greensboro is a more convenient location for trial of this case from Del-Al's standpoint, as well.

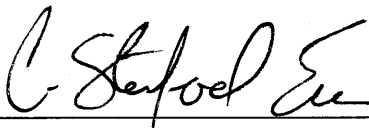
8. Named Plaintiff Marcela Olvera-Morales is a citizen and resident of Mexico. Any class members would also be citizens and residents of Mexico, to the best of my knowledge.

9. Several individuals were identified in the Plaintiffs' Responses to the Defendants' First Set of Interrogatories: in addition to myself, she identified Florentina del Rios and her husband; Jorge Del Alamos; and "Dora." I know or know of all of these individuals.

10. Mr. and Mrs. Del Rios reside in Mexico. Mr. Del Alamos resides in Charlottesville, Virginia. "Dora" is Dora Boger, a staff employee of ILMC, who resides in Carthage, North Carolina. Carthage is not quite ten miles from Vass. Ms. Boger works in Vass.

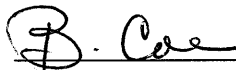
11. To the best of my knowledge, the only individuals still involved in this case who reside in the State of New York are the attorneys for the Plaintiff and the Defendants' local counsel. For everyone else, the Middle District of North Carolina would be a far more convenient venue than the Northern District of New York.

This the 23rd day of November, 2004.



C. Stanford Eury

SWORN TO AND SUBSCRIBED BY ME
This the 23rd day of November, 2004



Notary Public
My Commission Expires: 8/5/06

EXHIBIT A
State-by-state ILMC placements by grower, 2004

STATE	NUMBER OF ILMC GROWERS WHERE WORKERS PLACED
Alabama	10
Arkansas	5
Colorado	6
Connecticut	1
Florida	6
Georgia	5
Illinois	19
Indiana	1
Iowa	1
Kansas	1
Kentucky	88
Louisiana	7
Maine	1
Maryland	6
Michigan	4
Minnesota	2
Mississippi	11
Missouri	1
New Jersey	5
New York	26
North Carolina	34
Ohio	48
Oklahoma	1
Pennsylvania	14
Rhode Island	1
South Carolina	19
Tennessee	86
Texas	4
Virginia	16
Washington	1
West Virginia	1
TOTAL	431

EXHIBIT B
State-by-state ILMC placements by worker, 2004

STATE	NUMBER OF WORKERS PLACED
Alabama	97
Arkansas	514
Colorado	64
Connecticut	17
Florida	139
Georgia	581
Illinois	283
Indiana	30
Iowa	98
Kansas	140
Kentucky	594
Louisiana	212
Maine	10
Maryland	90
Michigan	157
Minnesota	27
Mississippi	258
Missouri	20
New Jersey	193
New York	275
North Carolina	600
Ohio	793
Oklahoma	25
Pennsylvania	183
Rhode Island	18
South Carolina	1053
Tennessee	1020
Texas	30
Virginia	261
Washington	25
West Virginia	14
TOTAL	7821